

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1804 be amended to read as follows:

- 1 Page 67, between lines 15 and 16, begin a new paragraph and insert:
2 "SECTION 90. IC 3-12-1-12 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) This section
4 applies to votes cast by any method.
5 (b) Except as provided in section 13 of this chapter, a ballot that has
6 been marked and cast by a voter in compliance with this title but may
7 otherwise not be counted solely as the result of the act or failure to act
8 of an election officer ~~may nevertheless~~ **shall** be counted ~~in a~~
9 ~~proceeding under IC 3-12-6, IC 3-12-8, or IC 3-12-11~~ unless evidence
10 of fraud, tampering, or misconduct affecting the integrity of the ballot
11 is presented. ~~by a party to the proceeding.~~
12 (c) The act or failure to act by an election officer is not by itself
13 evidence of fraud, tampering, or misconduct affecting the integrity of
14 the ballot."
15 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1804 as printed April 6, 2007.)

Senator DEIG